

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

DOLORES STACHURSKI and BOB  
KRAVOS, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

VS.

DIRECTV, INC.,

Defendant.

) CASE NO. 1:08-CV-02850

)

) JUDGE SOLOMON OLIVER, JR.

)

) **DIRECTV'S MOTION TO DISMISS OR**

) **STAY PROCEEDINGS PENDING**

) **ARBITRATION AND TO COMPEL**

) **ARBITRATION, OR, IN THE**

) **ALTERNATIVE, TO DISMISS**

) **PLAINTIFFS' CLAIMS FOR**

) **DECLARATORY JUDGMENT AND**

) **BREACH OF CONTRACT PURSUANT**

) **TO FEDERAL RULE OF CIVIL**

) **PROCEDURE 12(b)(6)**

)

Defendant DIRECTV, Inc. hereby submits its Motion to Dismiss or Stay Proceedings Pending Arbitration and to Compel Arbitration, or, in the Alternative, to Dismiss Plaintiffs' Claims for Declaratory Judgment and Breach of Contract Under Federal Rule of Civil Procedure 12(b)(6). This Motion is brought pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1-4, and, alternatively, pursuant to Federal Rule of Civil Procedure 12(b)(6). The points and authorities in support of this Motion are set forth more fully in the accompanying Memorandum in Support.

Respectfully Submitted,

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**Certificate of Service**

I hereby certify that on January 29, 2009, a copy of the foregoing *Motion to Dismiss or Stay Proceedings Pending Arbitration and to Compel Arbitration or, in the Alternative, to Dismiss Plaintiffs' Claims for Declaratory Judgment and Breach of Contract for Failure to State Claims Pursuant to Federal Rule of Civil Procedure 12(b)(6)* was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

Respectfully Submitted,

/s/ Robyn E. Bladow

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